Carrying Their Words:

First Annual Report of the
Children's Advocate
1989-1990

COPY

92-07478/

Alberta

FAMILY AND SOCIAL SERVICES

Office of the Minister

104 Legislature Building, Edmonton, Alberta, Canada T5K 2B6

403/427-2606 Fax 403/427-0954

To the Honourable Dr. David Carter
Speaker of the Legislative Assembly

Sir:

I am pleased to present the annual report of the Children's Advocate, which covers the fiscal year ending March 31, 1990.

Respectfully submitted,

John A. Oldring
Minister

Alberta
FAMILY AND SOCIAL SERVICES

Children's Advocate

14th Floor, Seventh Street Plaza, 10030 - 107 Street, Edmonton, Alberta, Canada T5J 3E4

December 31, 1990

Honourable John Oldring
Minister of Family & Social Services
Room 104, Legislature Building
109 Street & 97 Avenue
Edmonton, Alberta
T5K 2B6

Mr. Minister:

I have the honour of presenting you with the first Annual Report of the Children's Advocate for fiscal year 1989-90. This report is required by S.2.1 (3)(e) of the *Child Welfare Act* for your presentation to the Legislative Assembly.

It has been an enormous privilege to be afforded the challenge of participating in the development and implementation of this unique and innovative program; a privilege which has been enriched by the opportunity to meet and work with so many committed individuals.

My experience, to date, persuades me that advocacy can make a worthwhile contribution to our province's child welfare system.

Bernd Walter

Bernd Walter
Children's Advocate

"...child care workers can never really know the kids they work with. However superior we might feel as adults, we can never 'know best.' Since we cannot know the child's own experience, we can never take responsibility for it. The more we try to take this responsibility away from youngsters, the less likely they are to examine and exercise choices of their own. All parents and practitioners would do well to think very carefully about this."

"...we can never really know what's in the best interest of a child. We can only guess from our own experience, reflected from what we *think* the child has told us."

"Developmentally, the task is to encourage kids to examine and respond to their own experience. This is what responsibility is all about."

– Fewster, G.; Being in Child Care: A Journey Into Self, (1990)

Contents

2 Part I Introduction

4 Part II The Children's Advocate: An Overview

4 Key Components of a Child Welfare System
4 Advocacy: A New Component of Alberta's Child Welfare System
4 The Concept of Advocacy
4 The Family as the Child's Primary Advocate
5 Risks and Limitations of Systems of Care
5 A Focus on the Child
5 Rights of Children In Care
5 Safeguarding the Child's Right to be Heard
6 Respect for the Child as a Person
6 A Voice For Systemic Change

7 Mandate

7 Individual, Class and Systemic Duties and Functions
7 The Scope of the Children's Advocate's Services
8 The Authorities of The Children's Advocate
8 Referrals and Notifications to The Children's Advocate
9 Own Motion Activities
9 Notifications From The Child Welfare System
9 Advocacy, not Decision Making
10 The Primary Goals of The Children's Advocate

11 Part III Fiscal Year 1989-90 in Review

11 Program Implementation
11 Organizational and Operating Principles/Values
14 Organizational Structure
15 Recruitment and Orientation
15 Program Communication

18 Individual and Class Advocacy Activities

20 Part IV Systemic Themes and Issues

20 Community Partnerships
21 A Caveat

22 Key Themes and Issues for the Child Welfare System

22 Mandate: Child Protection or Child Welfare?
22 Implementing the Vision

24 Key Themes and Issues for Youth

24 The Right to Information and Participation
26 Systemic Involvement of Youth
26 Legal Representation of Youth: The Role of Counsel
27 Court Adjournments: Best Interests Delayed

28 Key Themes and Issues for Foster Parents

28 Foster Parents as Advocates for Youth

30 Key Themes and Issues for Child Welfare Workers

30 Availability of Resources
30 The Obligation of Guardianship

31 Key Themes and Issues for Native Communities

31 Commitment to Dialogue

32 Key Themes and Issues for the Children's Advocate Program

32 The Reporting Relationship: Independence and Internality

33 Part V The Year to Come: Priorities, Plans, Processes

34 Appendix "A"
Specific Rights of Children as Provided by the Child Welfare Act

35 Appendix "B"
Children's Advocate Program

36 Appendix "C"
Program Communications

38 Appendix "D"
The Child Welfare Act

40 Appendix "E"
Child Welfare Services

41 Appendix "F"

Part I Introduction

This document represents the first Annual Report of Alberta's Children's Advocate program. Such a report is required by virtue of s.2.1(3.1) of the *Child Welfare Act*, as amended.

The relevant time frame for the document is Fiscal Year 1989-90. By virtue of the proclamation of the creating legislation, the actual period covered by the report is the seven months from September 1, 1989, to March 31, 1990. This period was chosen in order to synchronize the program's activities and reporting accountability with broader governmental planning and budgeting processes.

We hope to use the occasion of this program's first annual report to serve purposes which go beyond the mere discharge of legislative responsibility. In our view the concepts and approaches of this office are unique to this country and perhaps to North America. We are therefore anxious that this report account not only for the legislatively mandated activities of the program, but that it serve also to educate and to communicate the fundamental purpose, principles, values and style of the office. While the provision of the program's mandated services is the priority, we are choosing this occasion to interpret the legislative mandate for the reader as well as to describe the implementation, organizational development, staffing and program communication activities in progress.

We also felt it important to stimulate discussion on some key challenges which in our view confront Child Welfare services in this province and to communicate the perspectives of the office on these issues.

The report is organized as follows:

Part I **Introduction**

Part II **Program Overview and Mandate**
Discusses the concept of advocacy as well as an overview of the mandate and operation of the program.

Part III **Fiscal Year 1989-90 in Review**
Reviews the organizational development, staffing and communications as well as case advocacy activities.

Part IV **Systemic Themes and Issues**
Identifies and speaks to some challenges for the Child Welfare system.

Part V **Future Priorities**

This program must belong to all those who have an interest and stake in services to children and families in this province. We are therefore especially interested in the relevance of this report for its various anticipated audiences. Readers are invited to comment on all aspects of the report including the form and content of the information conveyed. Such suggestions will be useful in terms of the structure of future reports and will assist us in the development of our data gathering and information systems.

Finally, we need to acknowledge the efforts and support of the individuals and groups whose work advanced our implementation activities in quantitative and qualitative ways.

Thanks are due to the proactive work of the Children's Advocate Task Force and the support and patience of the Department's Public Communications Branch which developed a number of quality communications products and provided ready advice.

The office is indebted to the highly professional consultation services provided by the Special Projects Unit of the Program Policy Development Division, in developing options for the program's organizational structure.

Recruitment of front line Advocates was a wearying and often emotional process and was immeasurably enriched by the participation and insights of Karla Nikolai and Anne Manyfingers. Thanks also to Maggie Hodgson for her assistance in the recruitment of the Director of our Southern Alberta office. In addition we need to acknowledge the consistent support of the Department's Personnel Services staff whose support and willingness to innovate throughout this process was a learning experience for us all.

We continue to feel abiding respect for the individuals who applied for positions with the office, many of whom taught us about and are indeed living advocacy on behalf of children and youth.

Most of all we must express our gratitude and respect to the children and youth who have seen fit to let us into their lives and to share their experience. Our relationships with youth are only just beginning but are already proving to be the most rewarding aspect of this work. They have much more to tell us if we prove worthy of their trust.

"You have to allow young people to make mistakes because you grow from mistakes."

– a youth

Part II The Children's Advocate: An Overview

Key Components of a Child Welfare System

Alberta's child welfare system like those of other Canadian jurisdictions has traditionally consisted of two essential functions. The first of these is the provision of care, supervision and custody of children who are in need of protective services. This case management and guardianship function is carried out by the Regional Operations Division of Family and Social Services.

The second function, which provides for accountability via review of administrative decision making, is carried out by the judicial and quasi-judicial systems: the Courts and the Child Welfare Appeal Panel.

Advocacy: A New Component of Alberta's Child Welfare System

The introduction of the Children's Advocate pursuant to the proclamation, on September 1, 1989, of the *Child Welfare Amendment Act* (1988), establishes the concept of advocacy on behalf of children as an integral, legitimate and distinct component of Alberta's Child Welfare System.

The Concept of Advocacy

Advocacy on behalf of children occurs in many contexts, is performed by many individuals in both professional and non-professional capacities, and includes an array of activities. Child welfare workers, treatment and care providers, and legal representatives properly view themselves as advocates for children. Technically, anyone who speaks for, with, or on behalf of another is an advocate.

Why then, in a system which is legislatively admonished to pursue the "best interests" of children who require protective care and services, is a separate advocacy function necessary or desirable?

The Family as the Child's Primary Advocate

Parents or family members are usually in the best position to advocate for children. They are the child's primary advocates. This assumption breaks down when, as a result of parental neglect or abuse, the child requires protective intervention. In such cases a large, complex system of government care assumes roles and responsibilities normally played by individuals in the child's life. Often this system becomes the child's legal guardian or parent.

Risks and Limitations of Systems of Care

Despite its objective to act in the best interests of children, such a system carries within it risks for the child. Recent studies which link adult homelessness to childhoods spent in state or institutional care, or which document the incidence of abuse of children in state care, indicate that the system can, at times, operate in ways which are inappropriate. Because of the system's diverse responsibilities, limitations, interests and accountabilities, it is unrealistic to assume that the child will always be its primary focus; or that the interests of the child and those of the system are always identical.

A Focus on the Child

Even the best intentioned front line social worker will ultimately experience a conflict of interest as he or she approaches systemic limitations or barriers to his/her capacity to effectively advocate for a child.

It is somewhat easier for an advocate who does not have primary responsibility for the management of the system's resources, and who is not in a decision-making or social control role vis-à-vis the child, to focus solely on ensuring that decision makers appropriately consider the particular child's needs, interests and viewpoints.

Rights of Children In Care

Alberta's *Child Welfare Act* provides children in care with a number of specific rights quite separate and apart from the right of all children to be protected from abuse and neglect. The Act states that a child's right to express an opinion on decisions which affect him/her is a key consideration in determining his/her "best interests". The Act also provides older children with a host of procedural rights, including the initiation of court and appeal panel reviews, and substantive rights to consent to certain decisions and dispositions, including access, adoption, and private guardianship, among others. [See Appendix "A" Specific Rights of Children.]

Safeguarding the Child's Right to be Heard

By providing a Children's Advocate to represent the rights, interests and viewpoints of children, legislation acknowledges the value and importance of the child's participation in decision-making, and recognizes that safeguarding the child's right to be heard - to voice an opinion of what constitutes his best interests - is worthy of special support and protection.

Case Example

A teenaged girl in an institution contacted the Advocate. She described her understanding of our role as "helping kids get adults to listen to them". She felt staff in the institution were judging her based on her previous behaviour. She saw herself as having been responsible and free from trouble with the law for several months.

She requested that the Advocate set up a meeting between herself and all the staff so she could talk about her concerns. The purpose of our involvement, from her perspective, was to help her be "taken seriously by the staff".

The meeting occurred and she felt very empowered by the situation. She felt her concerns had been heard and that the staff showed respect for her as a person.

Respect for the Child as a Person

Society has an interest in assisting all children, including those in government care, to achieve their full potential to develop into functioning, autonomous adults. As children develop, they should have increasing opportunities to learn to negotiate, make, and otherwise participate in decisions which affect them. Children do have a contribution to make which is worthwhile and relevant, and which increases the chances that a good decision will be made. To give them the chance to make their contribution reflects respect for them as individuals rather than as objects of adult concern. Thus, advocacy which empowers children and youths is an appropriate function of a child welfare system.

Case Example

A sixteen-year-old pregnant girl, receiving services under a support agreement, was seeking financial support so she could board with her father and stepmother following the death of her own mother. Both Child Welfare and Income Security programs had denied her financial assistance.

The Advocate informed her of her right to appeal the decisions and enabled her to follow through with those appeals. She was provided with accurate information about her own and her baby's rights, assisted in preparing for the Income Security Appeal Panel hearing, and provided with support at the hearing. She represented her own rights, interests and view-points, which resulted in a decision in her favour from the appeal panel.

A Voice For Systemic Change

In addition to advocacy on an individual level, the system can benefit from information and advice on issues or concerns about the care and treatment of children which can challenge that system to be more responsive to and better serve their interests and needs.

Systemic activities include the identification of policies and procedures which have a negative impact on the rights, interests and needs of children; and advising, recommending and pursuing implementation of appropriate systemic changes with senior department decision-makers.

Mandate

Individual, Class and Systemic Duties and Functions

The legislative mandate of the Children's Advocate, as set out in the Child Welfare Act, includes both case (individual and class) advocacy, and systemic activities. To paraphrase the legislation, the duties and functions include:

- To provide advice to the Minister with respect to Alberta's child welfare services and their impact on children. We interpret this as a duty to speak to systemic issues in a proactive way and to advocate for systemic change.
- To review and investigate complaints and grievances with respect to children receiving child welfare services and to provide recommendations for change. This clearly contemplates advocacy at both the individual and class levels and implies a "retrospective" investigative or review role.
- To represent the rights, interests and viewpoints of children.
- To prepare and submit an annual report to the Legislature through the Minister of Family and Social Services.

Case Example

Due to a perceived lack of appropriate addiction treatment programs, a significant number of Alberta youth were placed into a U.S. treatment facility. Despite its adherents this program has experienced some controversy with respect to philosophical, ethical, treatment and legal concerns.

As plans proceed to establish a similar program in Alberta we will continue to provide information which hopefully enables decision makers to strike a balance between needed services and treatment approaches which meet the province's social and legal standards.

The Scope of the Children's Advocate's Services

The *Child Welfare Act* broadly defines the target group for advocacy as those "children who receive services" under the Act. Departmental policy has determined that the program will focus its resources and efforts on providing services to:

- children who are the subjects of support, custody and permanent guardianship agreements;
- children who are under apprehension;
- children who are the subjects of interim custody, supervision, temporary and permanent guardianship orders;
- children who were subjects of an agreement or a court order, within 30 days of termination of the agreement or order;

The following categories of cases have therefore been excluded from the purview of the office:

- children reported to a "director" as apparently in need of protective services, and whose circumstances are under investigation;
- children who are subjects of Handicapped Children's Services agreements;
- children who are no longer in care but who seek or receive extended care and maintenance beyond age 18.

To date we have attempted to respect the policy limits placed upon the program. However, in communicating these limits to potential clients or referral sources, we are always ready and willing to provide information, advice and referral with respect to possible avenues for resolution.

The Authorities of The Children's Advocate

In the performance of these duties and responsibilities on behalf of children in care, the Children's Advocate has been given the following authorities:

- *Access to children*, guardians and others who represent children (Child Welfare Act, S.2.1(4)(a)). The right to access is fundamental to ascertaining the child's viewpoints and opinions.
- *Access to all information* relating to children in care (Child Welfare Act, S.2.1(4)(b)). This right to information is key to the development of appropriate and relevant case advocacy strategies.
- *To speak on behalf of* and otherwise represent a child when major decisions are being made (Child Welfare Act, S.2.1(4)(d)). To make the child's right to advocacy most meaningful, involvement of the Advocate must occur before decisions which may have permanent or long-term impact on the child are made and implemented.
- *To provide assistance and advice* to a Court and the Appeal Panel, and to initiate reviews and appeals of director's decisions on behalf of children (Child Welfare Act, S.2.1(4)(e),(f)). The Children's Advocate, on behalf of the child, can contribute to formal decision-making processes in defence of the child's rights and interests.
- *To delegate any duty or function* conferred on him, (Child Welfare Act, S.2.1(5)). This provision enables the involvement and empowerment of a child's "natural" advocates or significant others in the community on his/her behalf. Such individuals are vital to our concept of advocacy.

Referrals and Notifications to the Children's Advocate

The Children's Advocate may respond to referrals - requests for involvement and assistance on behalf of children receiving Child Welfare services - from any interested person. This can include the child himself or herself, department staff, family, care providers, foster parents, the Minister, or anyone else acting on the child's behalf, including Courts and Appeal Panels.

Own Motion Activities

The Advocate may also initiate his own review or investigation of complaints or concerns relating to children which come to his attention.

Notifications From the Child Welfare System

Departmental child welfare policies and procedures require case workers to notify the Children's Advocate with respect to specific decisions, issues or situations in the life of a child in care which are indicative of risk to that child.

Advocacy, not Decision Making

The critical feature of the role of the Children's Advocate is the absence of decision-making power.

The Advocate's role is not to personally protect, or to make placement or service decisions for the child. Rather, the role is one of pure advocacy: to petition and provide relevant information; to see that the child receives appropriate services; to ensure decisions which consider the child's point of view, as well as all other relevant information, are made in a timely and considered manner.

The Children's Advocate has no authority to impose opinions or views upon those who are responsible for making and implementing decisions. We neither seek nor compete for such power. Rather, we depend on our ability to access and influence individual decision-makers and decision-making processes. Although this has been viewed by some as a shortcoming of the program we have found it to be perhaps its most valuable feature. Understanding the absence of decision-making authority, and understanding that the child's *right to be heard* is not tantamount to a *right to decide*, may be crucial to reducing resistance or opposition to the involvement of an advocate.

Case Example

A school referred the case of a 17-year-old mentally disabled Indian boy. Concerns centred around his physical care, the foster parents' approach to discipline and their resistance to allowing social workers into the home. In addition, the foster family intended to apply for guardianship and trusteeship of a trust fund to which the boy will be entitled on reaching adulthood.

By bringing together the issues as well as the information and viewpoints of all persons involved in the boy's life, the Advocate was able to assist the Child Welfare worker to mobilize and coordinate service planning which would better attend to his interests. This included involvement of the boy's native community to explore the possibility of reconnection with his culture and extended family, the Public Guardian and the foster family. In the end the worker was better able to assume her role as a natural advocate for the boy.

The Primary Goals of The Children's Advocate

To encapsulate the foregoing discussion, we offer the following as primary goals of the program:

To provide advocacy to children who are in receipt of services pursuant to the Child Welfare Act, and who require the assistance of an advocate to ensure that all relevant information, including their rights, interests and viewpoints are ascertained and duly considered when decisions are made; and

To provide information and advice with respect to the nature, availability, adequacy, accessibility, effectiveness and appropriateness of services which are offered to such children.

All other program and organizational activities flow from these statements.

Program Implementation

The intensive design and planning which took place between passage of the legislation, (July 1988), and its proclamation in force, (September 1989), represents an ideal model for policy and program development. It involved departmental policy and service delivery staff, staff of the former Children's Guardian program, and included input from community stakeholders. The excellent, collaborative work of the members of the Children's Advocate Task Force must be gratefully acknowledged.

The development and implementation of processes intended to ensure a solid foundation for the program has demanded a major investment of time during this start-up year. As a result, it should be possible in future to better focus time, energy and resources on client service.

Within a week of the appointment of the Children's Advocate, proclamation of the legislation required the office to be ready and able to respond to requests for and to provide advocacy services.

Organizational and Operating Principles/Values

A first task was the articulation of principles and values, to inform and guide program implementation. These principles are intended to define and guide both service delivery in terms of style and strategy, and management processes, including organizational and staffing activities. They also describe the group and individual behaviours within, and those beyond the office, which will affect our relationships with the system.

The following represents an initial set of organizational values. The list, at present neither complete nor exhaustive, will evolve and expand through experience, interpretation and debate:

Child Focused/Service Oriented

The young person is the "client" of the Children's Advocate, however a matter originates. Advocacy activity at the case level should, to the greatest extent possible, be instructed and directed by the young person.

It is not our role to judge or impose our own values on the young person's perceptions or instructions, but to enable these to be heard and considered. This requires compassion, respect and empathy for the youth's perspective in order to squarely align ourselves and to focus our energies to his/her cause; however, loyalty to the young person does not imply that we judge others.

"What is important to a youth is important to an advocate." (meaning, "let the youth decide what is important")

– a young person

The Program will emphasize face-to-face contact in order to ascertain the child's views and preferences. The Children's Advocate will assist the child to articulate such views and preferences, and will ensure their due consideration when decisions are being made. In so doing, the Advocate will provide the child with the information and resources required to render his/her participation in decision-making informed and meaningful.

"What's most important for you is to have contact with young people."

– anonymous youth

"You have to remember in approaching a child in care that you are on his turf."

– a youth

Program resources will be focused and directed toward the provision of service to children rather than toward administrative activity. In order to remain child-focused, the Children's Advocate must operate as a strong and independent voice on behalf of children receiving child welfare services. The program must operate and be seen to be operating at "arm's length" from the service delivery system. Its organizational and reporting structure will be distinct from the service delivery system.

The Program's communication strategies will be appropriate for and be targeted to reach all children in the system; they must also enhance understanding and acceptance of advocacy on the part of the child welfare system.

Advocacy is viewed as a shared responsibility. The involvement and assumption of responsibility by the community are key strategies of the Children's Advocate. Our goal is to involve, empower and support, rather than to replace or supplant "natural" advocates.

At a program level, the Advocate will operate in a manner which is open, accessible and responsive to children and the community. Community stakeholders and children, including former youth-in-care, will participate not only in the development of operational policies, procedures and advocacy strategies, but also in setting program direction and in its evaluation.

Finally, the advocacy needs of aboriginal children and the involvement of aboriginal families and communities in advocacy are priorities for the Children's Advocate program. This will require aboriginal program staff as well as the development, through consultation, of advocacy policies and strategies which are appropriate to Native culture, heritage and traditions.

Power Free/Empowering Of Others

Our behaviour must communicate that we neither desire nor compete for power. Our effectiveness depends upon the quality and cogency of our facts, upon persuasion, and upon access to progressive levels of individual decision makers and decision-making processes. We believe such individuals and processes have the integrity and desire, and should be supported in carrying out their mandated accountabilities.

Appropriate modelling of this value will reduce resistance to our involvement, and communicate important problem-solving approaches to youth.

It is fundamental that internal/organizational behaviours, relationships, and processes be rooted in cooperation. This implies complete openness with information; the encouragement of and respect for diversity of opinion; acknowledging the strength of group process to resolve issues; the absence of a win-lose view of problem solving.

Interdependence/Holism

Decision making about the life of an individual can benefit from a variety of perspectives, disciplines and values that consider the whole person in his/her environment.

We have no inflated sense of our own insights, skills or capacities to affect situations. At the service delivery level we seek, identify and enlist individuals or networks with something to contribute. Outcomes take precedence over ownership, and result from the efforts and contributions of coalitions and network members.

Informality

An informal, non-intrusive style is key to effective advocacy. Informally negotiated, collaborative strategies, at the organizational level closest to the child, are the preferred approaches to problem resolution; not formal or adversarial processes.

The Children's Advocate is also obligated to pursue resolutions which are most effective, efficient and timely. Thus, strategies which involve progressively higher levels of organizational authority, or which resort to more formal mechanisms such as Courts and the Child Welfare Appeal Panel, will be pursued where appropriate.

Congruency

To maintain personal and organizational health and effectiveness requires congruence between our words and our actions. There must be consistency in our service delivery and our management values, processes and behaviours.

"Take care of yourselves - do not become overconsumed in your jobs."

– anonymous youth

Accountability

We are aware of the expectations regarding the program's capacity to positively affect the responsiveness of the service system and consequently the lives of young persons.

It is therefore critical that the program be held accountable in terms of its activities including:

- the outcomes of our involvement with young people;
- the quality and effectiveness of our work with departmental and external stakeholders toward the betterment of Child Welfare services.

Accountability will be implemented by means of the Annual Report as well as through program and case-specific user evaluation mechanisms.

Organizational Structure

A key early implementation activity was the development and staffing of an appropriate organizational model in keeping with program goals, principles, values and allocated resources.

Development of structural/organizational options for the program involved research, individual and group meetings with staff and input from relevant stakeholders with an interest in child welfare. Other organizational models such as the Office of the Ombudsman, Office of the Children's Guardian and the Human Rights Commission were reviewed for comparative purposes.

Key considerations underlying our choice of an organizational model were:

- the development of a common vision and understanding of the activity of advocacy in the interest of service equity, consistency and effectiveness;
- the development of a common value base among program staff;
- the efficient and economical deployment of available/allocated program resources, including the capacity to equalize workloads.

A North/South organization model was chosen, because it enables the development of the desirable value and culture base, and maximizes economic deployment of resources.

This model has program staff based in three offices. Direct client advocacy is provided by Children's Advocates in offices located in Calgary (South) and Edmonton (North). Each centre houses a team of frontline Children's Advocates whose role is to serve children involved with the Department's Regional Child Welfare delivery system. The Advocates report to a Director in each office who in turn reports to the Children's Advocate.

There is a third office in Edmonton (headquarters) which consists of the provincial Children's Advocate and two managers - one responsible for program policy development and coordination, and one for the administration of the program's fiscal and human resources. [See Appendix "B" Children's Advocate Program - Organizational Chart]

Recruitment and Orientation

Once position descriptions for all roles were developed and classified, an intensive process of recruitment ensued. Advertisements for all positions were run in government publications, and in the major provincial, national and Native media.

Special consideration was given to the matter of aboriginal professional staff. The involvement of native persons in the Children's Advocate program was deemed a priority. However, these individuals will not be labelled or designated "Native Children's Advocate" but will function and be assigned caseloads like any other Children's Advocate.

The overwhelming response (350 applications) to the positions by committed and well-qualified applicants was most gratifying, but called for an extremely painstaking and considerate screening process.

As of the period of this report, extensive orientation and training of the new Children's Advocates had begun.

Program Communication

The creation, introduction and implementation of the Children's Advocate program has been based upon the premise that it is a new activity/component of the Child Welfare System.

Early program communication activities grew from the work of the Children's Advocate Task Force whose Intent Paper articulated basic program principles and objectives and formed the foundation for additions to the Child Welfare policy manual. Task Force members also played important roles in introducing the program and in training and orienting Child Welfare staff to the new policies resulting from the 1988 legislative amendments. With the support of the Public Communications Branch three audience specific posters were created.

Since proclamation, our communications activities have consisted of engagement and dialogue with an array of audiences. Since August 1989, the Children's Advocate and program staff have taken the program's message to the media: department Child Welfare staff and senior management: youth in, and from care: community-based

agencies and providers of services to children and families: professional associations: foster parent groups: various conferences: native groups and agencies: extra-departmental resources: the bar and judiciary: and the Child Welfare Appeal Panel. [See Appendix "C" Program Communications.]

"Caretakers have to know about the office of the Children's Advocate."

– a youth

We are in complete agreement with recommendations, contained in a recent report of the Alberta Ombudsman entitled *Permanent Placement of Native Foster Children*, (March 1990), that communication of the existence, availability and operating parameters of the Children's Advocate must be a priority activity. However, we have up to now hesitated to launch a full-scale communications/promotion campaign. Public and client-directed communications have deliberately been low-key pending settlement of program principles and values and implementation of our organization and staffing plans. Promotion of the service and creation of expectations before we have the capacity to respond to requests for advocacy assistance would at best be unfair to referral sources and clients, and at worst doom the office to failure. Rather, significant energy has been devoted to development of a long-term, issue-focused, target-specific, multi-faceted communications plan for the coming year. This plan will prioritize target audiences, tailor communications appropriate to those audiences, and determine the timing and implementation of these. Media will include posters, and written and graphic communications with children, as well as production of a video with both training and communications uses.

Program communications have to this point focused upon,

(a) establishment of advocacy in the context of the larger Child Welfare system;
(b) presenting a rationale for, and the objectives of, advocacy within the system;
(c) describing the duties, functions and nature of the Children's Advocate's activities, including how the office can be reached, its authority and scope of service;
(d) identifying and demonstrating some of the office's operating principles;
(e) providing an overview of our organizational and service activities in progress.

Of keen interest to audiences has been the non-authoritative or non-decision making nature of advocacy, and our description of how we can provide a positive service through influence and persuasion without the power to control or impose decisions with respect to children: How the right to be heard can be as healthy and important a concept as the right to decide.

Of additional interest has been our role and commitment to effecting systemic change through sharing information and forging alliances and coalitions with community stakeholders on broad policy and service issues.

Affected publics will be watching to see whether our direct reporting relationship to the Minister and the requirement to present an annual report to the Legislature will give us the independence which is seen as necessary to the program's effectiveness; and to what degree our recommendations (systemic or otherwise) will be heard.

Individual and Class Advocacy Activities

The provision of case-specific advocacy services to individual or groups of children is the priority activity of this program.

Related to this priority is the need for accurate and appropriate activity data which will enable us to provide a meaningful annual report to the Legislative Assembly pursuant to legislation.

The need to generate program information was identified in the pre-implementation planning phase. However, the developmental and staffing activities described earlier have taken precedence.

An information system/resource must serve a multiplicity of related purposes. The design of program information systems should flow from and reflect service experience, intent and practice vision rather than vice versa. Systems integration rather than duplication must be an objective. The development of an appropriate high quality information system is a priority for the coming year.

For purposes of this initial report we offer the following case-related data for the seven-month period from September 1, 1989 to March 31, 1990.

Volume of Case Related Advocacy Activity

Total number of general information inquiries	135
Total number of "out of scope" (as per policy) requests for service	256
Total number of "in-scope" referrals/requests	414
Total number of referrals where advocacy unwarranted, or otherwise resolved	75
Total number of advocacy files/cases opened	414
Total number of cases resolved/files closed	192
Total number of open/active files at end of period	147

"In-Scope" Referrals By Region of Origin

Region	Number of Referrals	% of Total Referrals	Child Welfare Caseload *	% of Total Child Welfare Caseload
Northwest	54	13%	819	10%
Northeast	70	17%	851	10%
Edmonton	94	22%	3277	42%
Central	45	11%	799	10%
Calgary	65	16%	1480	19%
South	86	21%	629	8%
Totals	414	100%	7855	100%

*(Data Source: Child Welfare Information System: March 31, 1990)

Referral Sources

Department staff	260 (63%)
Child's caregiver	50 (12%)
Child	30 (7%)
Child's biological family	33 (8%)
Other	41 (10%)

As stated earlier, the Children's Advocate's mandate includes speaking to, and seeking to influence the relevance and responsiveness of the Child Welfare system in addressing the needs of children. Systemic issues may relate to any aspect of services to children including practice, procedure, policy, organization, funding, management or legislation. As in case-related advocacy, issues need to be documented and analyzed, and strategies directed at the relevant decision-making authority within the Child Welfare hierarchy. Frequently our systemic efforts play out at the central headquarters levels of the organization.

Systemic issues need to be pursued with the same vigour and commitment as child-specific matters. In this respect a somewhat philosophical attitude is required. Insofar as we are collaborating for change which involves bureaucratic structures and processes, realizing real change will be a longer term prospect.

Case Example

Foster parents have an essential role in the provision of child protection services. Their commitment to receive children, with their varied histories and personal problems, into their homes and lives demands unique knowledge and skills. One of the challenges faced by many foster parents is that of managing a foster child's behaviour.

Society's increasing desire to identify, address and prevent violent behaviours has resulted in greater awareness and sensitivity of disciplinary methods.

The Department's position on the administration of corporal punishment to foster children is a continuing focus of the Children's Advocate. The issue was addressed by Child Welfare Services in consultation with the Alberta Foster Parent Association. While the present policy has not been changed, its review continues, and there appears to be a willingness to consider policies that may restrict or eventually abolish corporal punishment within the foster care program.

Community Partnerships

Another point relates to our principle of working with and involving natural advocates and community. Just as opinions on 'best interests' of a particular child legitimately vary, so a particular systemic issue will likely be the subject of a variety of viewpoints. All are worthy of consideration. We would be deluding ourselves to insist that our perspectives be determinative on any particular issue. Our impact depends on our ability to identify and establish alliances and coalitions with individuals and groups in the community and within the Child Welfare system who share a particular perspective, and to ensure that departmental decision makers consider their input.

Case Example

The Youth Emergency Shelter Society provides a vital service in our community to that vulnerable population of adolescent youth who find themselves temporarily or permanently without a home.

As a result of concerns raised by former shelter employees about the quality of services being provided and their potential impact on youth, the Society produced an internally generated report. A panel of community stakeholders including the Children's Advocate office convened to further define problems and develop recommendations for their resolution.

A Caveat

Our brief existence and the limitations of our data systems prevent us from making definitive statements about the state of Child Welfare in Alberta. However, it is our impression that following the highly publicized implementation of the new *Child Welfare Act* in 1985, the availability, nature and quality of Child Welfare Services is again an issue of some public interest.

We have garnered sufficient experience from our case activities, from documentation and from the array of stakeholders and communities who have provided information and feed-back, to enable us to identify some themes and issues which confront the system. We are aware that major initiatives intended to address many of the issues identified will be implemented in 1990. Nonetheless, we believe it is important to raise these.

This brings us to a caution for our readers.

The nature of our role of identifying issues and working toward systemic change, renders us unlikely to hear about or become involved in "good news" or success stories.

We are painfully aware that to be critical is easy; and that to develop, design and implement workable solutions is, in spite of commitment and motivation, the more elusive and difficult task by far.

Our challenge is to question without appearing negative or judgmental. The reader is challenged to do likewise.

Key Themes and Issues for the Child Welfare System

Mandate: Child Protection or Child Welfare?

Section 2 of Alberta's *Child Welfare Act* articulates a set of philosophical principles with respect to the family. It also serves as a framework to guide decision making and service choices "in the best interests of the child".

The introduction and implementation of legislation which emphasizes the pursuit of stability and permanence for children and support for the family is a positive development; a review of the legislative debates of the day reveals overwhelming support for the principles and directions of the 1984 Act.

By virtue of its administration of the *Child Welfare Act*, Alberta Family and Social Services has assigned to it the child protection mandate. However, the network of services required to implement the principles of the Act are the shared responsibility of a number of government departments and community-based agencies.

Implementing the Vision

We believe that it would be worthwhile and **we therefore recommend** the establishment of a process of review to examine and report to government whether or not the continuum of services as well as the casework practices implied by the principles have indeed been realized.

Such a review should address the following critical issues or dimensions:

- an assessment of the range of youth and family needs which are appropriate to the mandate of a child welfare system;
- the range of services required to respond to these needs;

- an examination of the social and economic factors which contribute to the need for child protection services;
- an examination of the way departments and services are structured or organized and the extent to which this contributes to the capacity to hear and respond to the youth and families they are intended to serve;
- a review of the effectiveness of the service approaches and professional child welfare practices which currently exist to meet the needs of youth and families;
- acknowledgement and implementation of the preventive, family support mandate, as envisaged in s.2(e)(i) of the Act;
- an examination of the role of, and the realism and practicality of expectations of communities and volunteers, including the feasibility of planning and allocation processes which give meaning to the notion of partnership with community.
- the feasibility of integrating departmental mandates and authorities in order to more effectively serve multi-problem youth and their families.

British Columbia's Youth Council or recent Nova Scotia legislation which requires the Minister to establish an advisory committee which annually reviews the new *Children and Family Services Act, (1990),* to determine whether its principles and purpose are being achieved, could be considered as models for conducting such a review.

The Right to Information and Participation

An important aspect of advocacy is the empowerment of youth. This is consistent with the philosophy of the *Child Welfare Act* and accords with sound social work practice.

"The (social worker) attitude fails to recognize the individual as having any opinions, views, etc.... goes ahead and does things without checking out with the youth."

– a youth

The Act provides, especially the older child, with specific rights, such as the right to notice of proceedings, the right to access services on his or her own behalf, the right to be heard in the context of court reviews, or to appeal decisions made with respect to his or her life. In certain circumstances separate legal and other representation is provided in order to pursue these rights. Finally, the legislation gives the Children's Advocate a mandate to represent the rights, interests, and viewpoints of the child. These provisions acknowledge the contribution of the child to decision making on his or her own behalf.

In order to render their participation and contribution meaningful, children need to be informed of and encouraged to avail themselves of their opportunities to be heard. Indeed a determination of the child's "best interests" requires consideration of his or her views and opinions.

"Well I don't advocate that youth should be able to do whatever they like, but I would suggest that they are allowed to negotiate treatment, house rules, curfews, placements and other things that are important to them. And I believe it should be a responsibility of professionals to inform youth about their options so that their input into these discussions are educated and valid. If you don't know your choices then, in fact, you have no choices."

– anonymous youth

We Therefore Recommend the implementation in practice of the rights to participate in and influence decision making which are already afforded to youth in the *Child Welfare Act* [Appendix "A"], particularly:

- the right of children to be informed on entry to, and throughout their stay in care, of information which the system has about them and upon which it bases its decisions;
- the right to know of substantive and procedural rights which are afforded to children in legislation and which support children's rights to participate in and question decisions which are made on their behalf;
- the right of children in care to some degree of privacy, and the private ownership of personal possessions;
- rights to grievance processes which are impartial and independent and to the Ombudsman, the child's M.L.A., or another independent advocate.

Case Example

A fourteen-year-old boy with behavioral problems was the subject of a custody agreement placing him in a Youth Assessment Centre. Despite the parent's desire to be involved in planning and decision making, neither she nor her son were kept informed or involved. Neither understood why he was not allowed to go home on weekends.

The Advocate in this case supported the child and parent to become active, meaningful participants in case planning and negotiation.

Case conferences routinely withheld information from, and excluded the boy. Rather than simply being the recipient of the case conference "decision", the Advocate emphasized the importance of his participation and requested that all information and issues be reviewed with the boy and his parent present and that they be allowed to provide their input and viewpoints.

Case Example

A youth identified as at risk for suicide requested assistance in presenting his views about planning and placement decisions and issues. He felt that he was not being informed of decisions which were made about him, or the reasons for these. With the assistance of an advocate this youth was able to clarify his concerns and present these in a case conference, and to establish an enhanced pattern of contact between him and his social worker.

Successive case conferences have resulted in the greater involvement, participation and comfort of this young man.

Reflecting on the Advocate's lack of decision-making power, he responded, "Yeah... I can't believe they are actually listening to me and asking me what I think now."

Systemic Involvement of Youth

It has been our experience that youth including youth in, and from care, have positive and enriching contributions to make, not only with respect to their own lives, but also to the service and policy decisions which confront our systems. Our own activities have been immeasurably enriched through the involvement of youth in the recruitment of frontline advocates and in our program orientation activities.

We recommend that serious consideration be given to the appointment of youth from care to the Child Welfare Appeal Panel as well as to other advisory bodies which deal with the issues of children and families; and that the views of youth in and from care be routinely included in the policy development process.

Legal Representation of Youth: The Role of Counsel

Separate legal representation of children and youth in Court and Appeal Panel proceedings is becoming more frequent and will likely increase. The introduction of an additional legal advocate without a clear sense of direction is of dubious value. When separate counsel is appointed, what is the quality of the legal representation provided to the child? To what degree do lawyers appointed to represent children consider what their role and relationships should be with their client? Are lawyers for children appointed to advance the child's separate interests and instructions or to support the case of the system?

Generally speaking, legal education does little to prepare lawyers to assume the roles which are necessary to represent children. Recent U.S. research indicates that the appointment of lawyers without special training may be the least effective means of providing representation to children.

No lawyer for a child should embark upon representation without having considered whether he or she will truly advocate the viewpoints and instructions of the child, whether these agree or are at odds with his or her own; or whether he/she will be assuming a role which is more akin to a guardian ad litem or amicus curiae.

We therefore recommend that lawyers who have an interest in this area be provided with and undergo specialized training which focuses upon their abilities to communicate with and take instructions from child clients.

Court Adjournments: Best Interests Delayed

Undue delay in the legal process can seriously impact upon the rights and interests of youth. The *Child Welfare Act* states that delay is incompatible with the best interests of the child. Furthermore, the legislation intends to limit the length of adjournments which the Court should entertain. Such provisions are intended to promote speedy resolution of legal issues "in the best interest of the child". Delays in resolution have a major impact upon the ability of the system to carry out its case planning responsibilities on behalf of children. Whatever the cause for such delays we recommend review of this problem.

Foster Parents as Advocates for Youth

Alberta's Child Welfare System is dependent upon a network of dedicated, committed foster parents for the provision of family-based care of its children. Foster parents are often in the best position and most willing to advocate for children in their care.

As a result of improved planning for permanency and perhaps because systems are less interventionist than they once were, children in care are older, their needs and circumstances are more complex, and they may have significant ongoing relationships with their biological parents.

Foster Parents, especially where a commitment and intention of permanence are present, are in much the same position as biological parents as primary advocates for the child.

The Department is currently reviewing its approaches to the recruitment, orientation, training, support and compensation of foster families.

As part of this critical initiative we believe the system should also implement practices which truly reflect its partnership with foster parents; it should be willing to share its authorities and to truly empower, respect and listen to foster parents.

We recommend as basic empowerment strategies:

Participation

Planning for the achievement of permanency for a child requires the active participation, cooperation and respect of all players in the child's life - especially foster parents.

As the most consistent part of the child's care network, foster parents are routinely expected to implement the child's plan of care; to facilitate and observe access between the child and his biological parents; and to ensure the child's treatment needs are provided for appropriately and effectively.

Foster parents have firsthand knowledge of the child's daily life. Therefore, foster parents should routinely have full rights and opportunities to participate in case conferences/plans and in review proceedings in court and should have delegated to them most day to day decisions for the child.

Access to Information

In order to function effectively as primary advocates responsible for meeting a wide range of physical and emotional needs, foster parents require access to complete information about the child including medical, legal, family history.

Protection Against Arbitrary Removal

In some jurisdictions, when a foster relationship begins to assume aspects of permanency, foster parents have procedural rights to prevent sudden arbitrary removal of children from their care. Long-term foster parents require rights to notice, and access to review hearings prior to (non-emergency) removal of any child.

From a child advocacy perspective these basic rights are required to enable foster parents to effectively and authoritatively advocate for children. Only when foster parents are accorded respect and become empowered themselves can we expect them to empower the children in their care.

Case Example

Our office was contacted with respect to the proposed removal of two infants from a foster home. Notification occurred too late for effective intervention in the placement decision. However, the manner and atmosphere of confrontation within which the decision was carried out, and the acrimony which ensued persuaded us and departmental managers to review the situation with a view to preventing future occurrences and to healing the system-foster care relationships.

This process provided opportunities for all the participants in the case to be heard. We were able to assist in developing, and the region has agreed to implement policy which:

- provides foster parents with adequate notice prior to removal of a child. This will both respect foster parents and, where difference of opinion exists, provide time to access review procedures and may decrease the likelihood or frequency of placement changes for the child.
- provides for a review process which offers the foster parents an opportunity to be heard, and to involve a member of the Alberta Foster Parents' Association.

The value of foster parents' participation in case conferences was reinforced in casework practice, and means of ensuring foster homes do not become overloaded were identified. In addition, the region pursued implementation of a conflict resolution mechanism for foster parents and a policy requiring 5 day "notification" to foster parents prior to removal of a foster child from their home has been implemented, at the provincial level.

Key Themes and Issues for Child Welfare Workers

Availability of Resources

Our experience requires us to acknowledge the preponderance of fine and sensitive work of so many enormously motivated and committed individuals.

However, our observations indicate that Child Welfare workers sometimes have difficulty accessing appropriate placement resources for children. These range from basic foster homes to residential beds and treatment services required to support such placements. These difficulties are exacerbated by the complex needs of many children coming into care. The inability to access resources can result in undue delay as well as inappropriate placement choices.

A key aspect of the review process recommended earlier should involve the identification of an appropriate range of services which are required to ameliorate the conditions which bring children into care. Again, it is absolutely necessary that the community and other government Departments participate in such a discussion.

The Obligations of Guardianship

Continuity of care and relationships are fundamental to the best interests of a child. Clearly, the Child Welfare worker by virtue of his/her delegated parental or guardianship responsibilities should be a key person in a child's life. It is imperative that Child Welfare workers are provided with opportunities to interact and establish relationships with the children for whom they are responsible.

Child Welfare workers are at times required to make decisions on behalf of children in the absence of such relationships. Legal, procedural, policy, and administrative requirements compete for a worker's valuable time. The way in which local or Regional services are organized into specialized functions may also contribute to discontinuity of care and relationships for children.

It is our sincere hope, as policy work on issues of Child Welfare workloads, case management roles, and practice expectations proceeds, that the importance of the quality and responsiveness of these relationships receives appropriate consideration.

Key Themes and Issues for Native Communities

Commitment to Dialogue

The relationship among aboriginal families and communities and provincial Child Welfare policies has been a recurring theme.

Alberta has displayed leadership in terms of legislative and policy reform in the native Child Welfare arena. Yet, here as elsewhere, native children continue to be disproportionately represented in care. The contributing and causative historic, cultural, philosophical, economic and traditional factors are beyond the scope of this report. However, native children still represent approximately 32% of all children receiving services under the *Child Welfare Act;* 40% of the children in care; and 45% of the children under permanent guardianship.

We believe that it may be timely to clearly re-affirm the Department's continued commitment to implementing the spirit and intent of the legislation vis-à-vis native communities. Although several tri-party agreements, which have enabled some Indian Bands to provide child welfare services, currently exist, additional means of involving native communities must be sought to prevent children from coming into care. Of particular priority, in our view, is a renewed effort and investment in building, maintaining and enhancing real, meaningful and workable relationships and dialogue with native bands and communities.

Next, we urge the implementation of recommendations made both by the Minister's Advisory Committee on Native Child Welfare and the Ombudsman respecting the proportionate representation of native and Metis individuals on the Child Welfare Appeal Panel.

Finally, we would recommend that issues of rate parity between provincial and federal programs be pursued in order to make it realistically possible for extended families to care for aboriginal children within their own communities. The long-term benefits in terms of reduced numbers of such children in care should be self-evident.

Key Themes and Issues for the Children's Advocate Program

The Reporting Relationship: Independence and Internality

The Children's Advocate is required to act and speak independently of the child welfare system. His appointment by the Lieutenant Governor in Council, his direct reporting relationship to the Minister and the requirement to submit an annual report to the Legislative Assembly represent aspects of the Children's Advocate's independence and accountability.

Institutional support and recognition are essential to the effectiveness of an internal advocate: it must be seen to have the capacity to create change. Thus, independence of action and conclusion are critical. Recent recommendations of the provincial Ombudsman echo these sentiments.

Clearly, the Advocate's real independence and the Department's commitment to this will need to be tested and evaluated against experience. To date we have received the support of departmental managers and our Minister and have experienced no efforts to restrict our capacity to speak to issues independently of departmental systems or processes.

Part V The Year to Come: Priorities, Plans, Processes

The dilemma for the program during the past year has been one of accommodating competing priorities. Consistent with our principles, the first task has been to meet the demand for service. However, the capacity to serve and the effectiveness of the service provided relies upon infrastructure: the implementation of the program's design, organizational, administrative and staffing systems and processes.

With these at least somewhat in hand, the coming year will see the implementation of strategic planning processes for the program. These will describe, flow from and refer back to fundamental goal and principle statements and are intended to assist us to:

- articulate and priorize key objectives and initiatives;
- identify specific activities and time frames within which to achieve these;
- allocate resources and assign responsibilities for their achievement;
- monitor and evaluate progress toward their achievement.

To this end, a three-year Strategic Planning Document is under development, the objectives of which will in turn drive annual workplans.

Quite arbitrarily we have organized our major strategic objectives into four broad, interdependent categories including: Organizational Development, Resource Management, Service Delivery and Evaluation.

Flowing from these spheres of strategic activity, the following have been determined as program priorities for the fiscal year 1990-91:

i. The provision of case advocacy services and the capacity to identify and bring forward systemic issues through the production of special or annual reports.

ii. The preparation, training and orientation of staff in order to ensure consistency of program understanding and advocacy activity.

iii. The orderly/planned communication to priority audiences of the existence, mandate, role of and means of accessing the program's services using appropriate media and methods.

iv. The development and implementation of policy, procedural and informational systems which are necessary to support and enable the provision, management, documentation and evaluation of the service.

The nature of these is such that they do not readily lend themselves to priorization. Due to their interdependencies and the nature of the work, they therefore proceed contemporaneously.

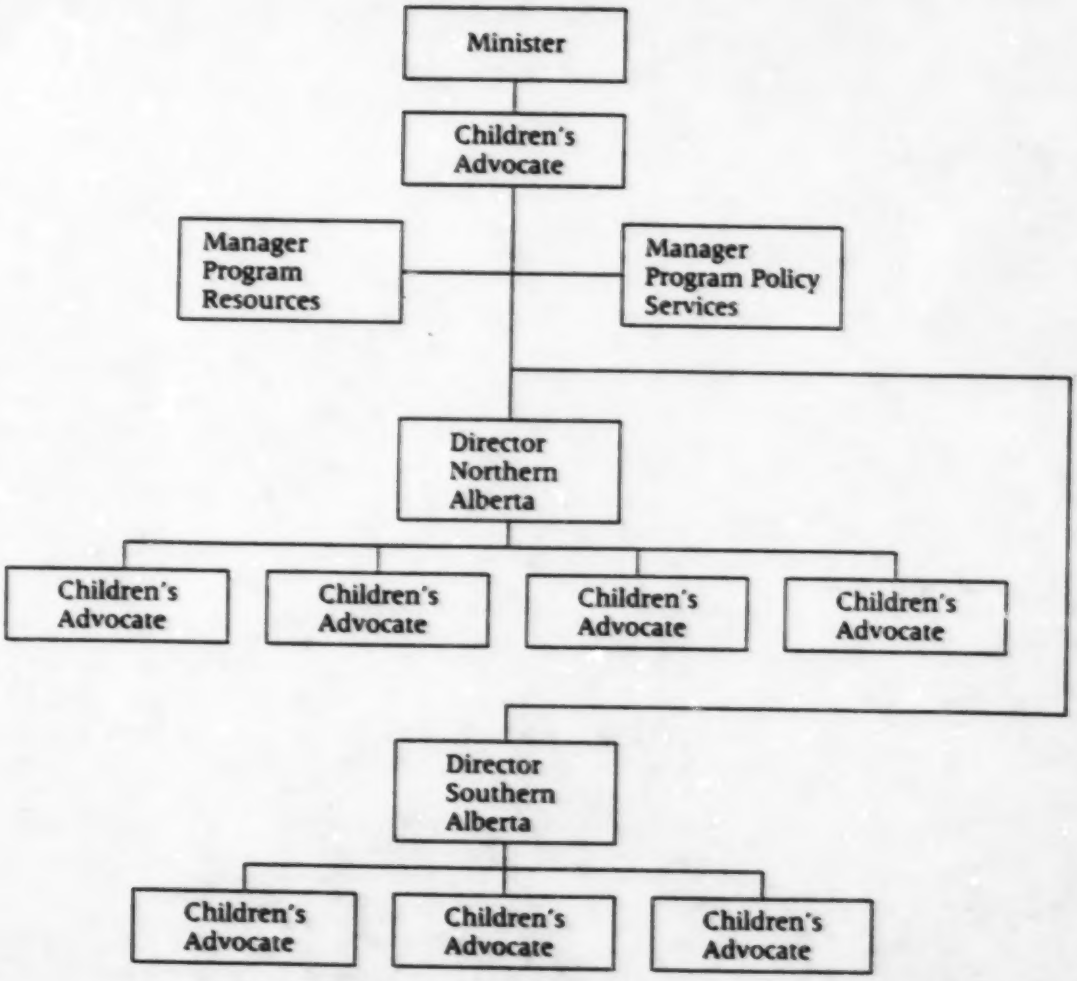
Appendix "A"

Specific Rights of Children as Provided by the Child Welfare Act

- Child any age is party (but may not have notice) (S.77(2))
- Right to examine court records (S.77(3))
- Right to be heard (S.2(d))
- Right to be part of a family (S.2(e))
- Right to individualized, appropriate, adequate services (S.2(h)(i))
- Right to permanent plan (S.2(k), 29(3))
- Right to advocate (S.2.1(3)(4))
- Right (over 16) to support and custody agreement (S.7.8)
- Right (over 12) to consent to access (S.12(3), 29(4.1), 32(6.1), (6.3))
- Right (over 12) to notice of hearing demanding return on apprehension (S.19(5))
- Right (over 12) to notice of protection application hearing (S.19(7))
- Right (over 12) to notice of hearings (S.21(1))
- Right to apply to exclude witnesses (S.22(3))
- Right to interim custody (S.24(2))
- Right (over 12) to apply for access (S.29(4), 32(6))
- Right (over 12) to review (S.30(1), 35(1))
- Right to apply for extension of services (S.33(2))
- Right (over 12) to consent to joint guardianship (S.34(3))
- Right (over 12) to notice of secure treatment application (S.42(2))
- Right to review secure treatment (S.47(1))
- Right to copy of order (S.48)
- Right (over 12) to notice and to consent to private guardianship (S.50, 51)
- Right (over 12) to consent to termination of private guardianship (S.54)
- Right to legal representation (S.78)
- Right (over 12) to appeal to QB (S.80)
- Right at any age to appeal to panel (S.86)
- Right to representation (S.85(4))
- Right to confidentiality and access to information (S.91)

Appendix "B"

Children's Advocate Program



December, 1990

Appendix "C"

Program Communications

Presentations to External Agencies/Resources

- Native Counselling Services, Native Court Workers
- Metis Association - Framework Agreement Working Committee
- General Meeting of AFPA, Calgary
- Edmonton Foster Parent Association
- Specialized Foster Parent Retreat
- Family Court Judges, Calgary
- CBA Family Law Subsection, Edmonton
- Lesser Slave Lake Regional Council and Elders
- Catholic Social Services Children's Treatment Program Review Team
- Alberta Association of Social Workers
- Annual Meeting of Edmonton Inter-Agency Youth Services, Edmonton
- Red Deer Children's Council
- Child Welfare Supervisors, Edmonton Region
- Jr. and Sr. High School Counsellors, Edmonton Public School Board
- Representatives from child/family serving agencies in Edmonton, at Advocacy workshop sponsored by the Faculty of Social Welfare, University of Calgary
- St. Albert and District Foster Parent Association
- Wellington Place Group Home
- Calgary Agencies Meeting

Internal Resources/Groups

- Edmonton Region Child Welfare Supervisors
- Parkland District Office and Yellowhead Tribal Services Association staff
- Child Welfare Appeal Panel
- Numerous meetings with Alberta Family and Social Services Regional Directors
- Regional Managers, Children's Services
- McLennan - Casework Supervisors - NW
- High Prairie - Lesser Slave Lake Regional Council - NW
- Lac La Biche - District Office Managers - NE
- McLennan - District Office Managers - NW
- Peace River - Peace River District Office Staff - NW
- Ft. McMurray - Ft. McMurray District Office Staff - NE
- Athabasca - Athabasca District Office Staff - NE
- Bonnyville - Bonnyville District Office Staff - NE
- High Prairie - Lesser Slave Lake Regional Council - NW
- Lloydminster - District Office Staff - NE
- St. Paul - St. Paul District Office Staff -NE
- Vegreville - Vegreville District Office Staff - NE

- Westlock - Westlock District Office Staff - NE
- Whitecourt - Whitecourt District Office Staff - NE
- Lac La Biche - Lac La Biche District Office Staff - NE
- Two Hills - Foster Parent Orientation - NE
- Barrhead - Barrhead District Office Staff - NW
- Slave Lake - Slave Lake District Office Staff - NW
- High Prairie - High Prairie District Office Staff - NW
- Grande Prairie - Grande Prairie Foster Parent Association - NW
- Barrhead - Barrhead Foster Parent Association - NE
- St. Paul - St. Paul Foster Parent Association - NE
- High Level - High Level District Office Training - NE
- Child Welfare Workers, Family Support Office
- Child Welfare, Parkland District Office and Y.T.S.A.
- Child Welfare workers (residential and group home), Yellowhead Youth Centre
- Child Welfare staff, Children In Care District Office
- Child Welfare staff, III District Office (Internal)
- Departmental Staff Training or General Info sessions/meetings Willow Park District Office staff

Media

- Participation in Native Counselling Services video on Child Welfare Act and Services
- Interview with Helen Lavender, Family Services Association Newsletter
- Interview with B. Davis, Law Now
- Interviews with Edmonton Journal/Calgary Herald
- Radio interviews (numerous)
- Native Media

Appendix "D"

The Child Welfare Act

S.A. 1984, c. C-8.1 as Amended

2.1(1) The Lieutenant Governor in Council may, on the recommendation of the Minister, appoint a Children's Advocate, who shall hold office for a term not exceeding 5 years.

(2) The Minister may authorize and provide for the payment of the remuneration and expenses of the Children's Advocate and for the office and staff of the Children's Advocate.

(3) The Children's Advocate shall

(a) advise the Minister on matters relating to the welfare and interests of children who receive services under this Act and the provision of those services;

(b) receive, review and investigate complaints or concerns that come to his attention respecting children who receive services under this act;

(c) represent the rights, interests and viewpoints of children who receive service under this Act;

(d) perform additional duties and functions that are conferred on him by the regulations or are from time to time assigned to him by the Minister;

(e) prepare and submit annual reports to the Minister respecting the exercise of the duties and functions of the Children's Advocate;

(3.1) on receiving a report under clause (e), the Minister shall lay a copy of the report before the Legislative Assembly if it is then sitting, and if not, within 15 days after the commencement of the next ensuing sitting.

(4) For the purpose of performing his duties and functions, the Children's Advocate may

(a) communicate with and visit a child who is receiving services under this Act or a guardian or other person who represents the child;

(b) have access to information relating to a child that is in the possession of a director or other person or agency providing services to a child on behalf of a director;

(c) at the request of a child who is receiving services under this Act, the Minister or any person acting on the child's behalf, receive, review or investigate and make recommendations regarding any matter relating to the provision of services to the child under this Act;

(d) provide information relating to, speak on behalf of and otherwise represent a child who is receiving services under this Act when major decisions relating to the child are being made under this Act;

(e) on his own initiative or at the request of a child who is receiving services under this Act, assist in appealing or reviewing a decision of a director relating to the child;

(f) provide assistance and advice to an Appeal Panel or a Court with respect to a child who is receiving services under this Act.

(5) The Children's Advocate may delegate any duty or function conferred or imposed on him under this Act or the regulations in respect of a child

(a) to a person employed or engaged in the administration of this Act, or

(b) to a person who provides care to the child, represents the child or is concerned about the welfare of the child.

Appendix "E"

Child Welfare Services

Child Welfare Services are mandated through the Child Welfare Act.

The purpose of Child Welfare Services is to ensure that the survival, security and development of children are protected. Services are provided whenever possible, within the natural family, with the objective of providing permanent, nurturing relationships for children.

Programs and services that are designed by Child Welfare seek to protect, enhance and support children and their families in the least intrusive means as possible. One goal is to ensure that the number of children coming into care is kept to a minimum: another is to ensure that, for those who do come into care, their length of stay is limited. Community resources are frequently sought in the promotion of family support and the provision of protection services.

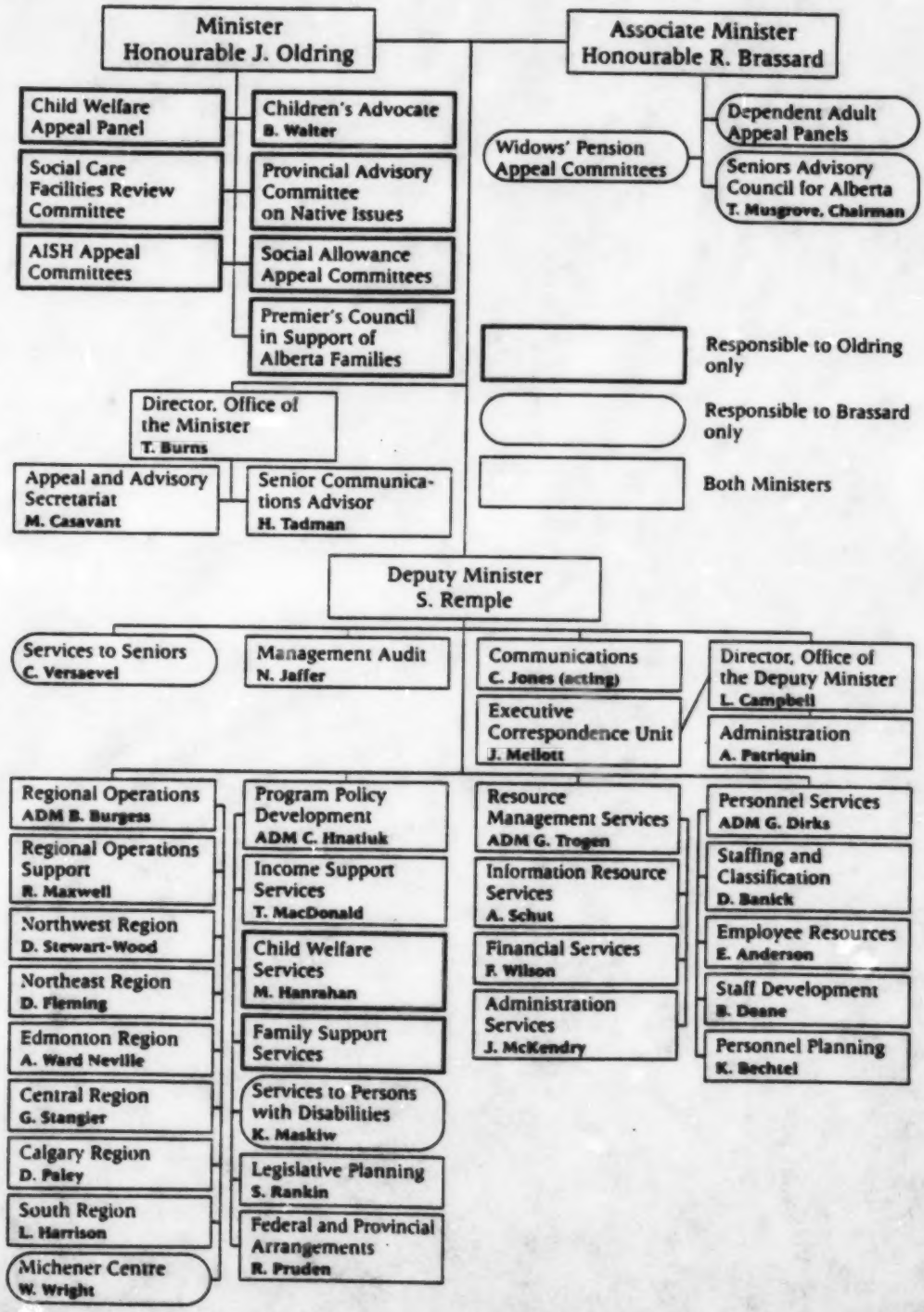
Services provided by Child Welfare include:

- The investigation of reports of child abuse and neglect.
- The apprehension and supervision of children in need of protection.
- The provision of support to families and youths through contractual agreements.
- The supervision of children and families subsequent to court orders.
- The sharing of guardianship responsibilities with families when children have been found by the courts to be in need of protection and the courts have ordered the child's custody to be transferred to a Director of Child Welfare for a specific time period.
- The provision of guardianship responsibilities for children permanently removed from their guardians voluntarily or by court order.
- The development of a range of placement resources for children through foster care and residential programs ranging from small group homes to large treatment centres.
- The recruitment, selection and support of adoptive parents.

On March 31, 1989, the Child Welfare program was providing services to 8,247 children*. Slightly over 3,000 (37%) of these children were in receipt of services through Support Agreements. Permanent guardianship responsibilities for 2,061 (25%) children rested with the Department. Of the children in care, 2,238 were in foster homes and an additional 869 were in group homes or institutions.

*Data Source: Alberta Family and Social Services Annual Report: 1988-89

Appendix "F"


Minister
Honourable J. Oldring
Associate Minister
Honourable R. Brassard
Child Welfare Appeal Panel
Children's Advocate
B. Walter
Social Care Facilities Review Committee
Provincial Advisory Committee on Native Issues
AISH Appeal Committees
Social Allowance Appeal Committees
Premier's Council in Support of Alberta Families
Widows' Pension Appeal Committees
Dependent Adult Appeal Panels
Seniors Advisory Council for Alberta
T. Musgrove, Chairman
Responsible to Oldring only
Responsible to Brassard only
Both Ministers
Director, Office of the Minister
T. Burns
Appeal and Advisory Secretariat
M. Casavant
Senior Communications Advisor
H. Tadman
Deputy Minister
S. Remple
Services to Seniors
C. Versaevel
Management Audit
N. Jaffer
Communications
C. Jones (acting)
Executive Correspondence Unit
J. Mellott
Director, Office of the Deputy Minister
L. Campbell
Administration
A. Patriquin
Regional Operations
ADM B. Burgess
Regional Operations Support
R. Maxwell
Northwest Region
D. Stewart-Wood
Northeast Region
D. Fleming
Edmonton Region
A. Ward Neville
Central Region
G. Stangier
Calgary Region
D. Paley
South Region
L. Harrison
Michener Centre
W. Wright
Program Policy Development
ADM C. Hnatiuk
Income Support Services
T. MacDonald
Child Welfare Services
M. Hanrahan
Family Support Services
Services to Persons with Disabilities
K. Maskiw
Legislative Planning
S. Rankin
Federal and Provincial Arrangements
R. Pruden
Resource Management Services
ADM G. Trogen
Information Resource Services
A. Schut
Financial Services
F. Wilson
Administration Services
J. McKendry
Personnel Services
ADM G. Dirks
Staffing and Classification
D. Banick
Employee Resources
E. Anderson
Staff Development
B. Deane
Personnel Planning
K. Bechtel

Alberta

FAMILY AND SOCIAL SERVICES